



FedEx Express  
Customer Support Trace  
3875 Airways Boulevard  
Module H, 4th Floor  
Memphis, TN 38116

U.S. Mail: PO Box 7  
Memphis, TN 38194-4643

Telephone: 901-369-3600

7/5/2002

Dear Customer:

Here is the proof of delivery for the shipment with tracking number **617730537369**. Our records reflect the following information.

---

**Delivery Information:**

---

**Signed For By:** B.WILES

**Delivery Location:** 2640 COMBRIDGE RD. 3

**Delivery Date:** June 21, 2002

**Delivery Time:** 0928

---

**Shipping Information:**

---

**Tracking No:** 617730537369

**Ship Date:** June 20, 2002

**Recipient:**

BRIAN C. WILES

2640 COMBRIDGE RD., #3  
CAMERON PARK, CA 95682  
US

**Shipper:**

M B H B  
M B H B  
300 S WACKER DR STE 3200  
CHICAGO, IL 606066705  
US

**Shipment Reference Information:**

MJT

Thank you for choosing FedEx Express. We look forward to working with you in the future.

FedEx Worldwide Customer Service  
1-800-Go-FedEx®  
Reference No.: R2002070500053489561

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Case No. 00-581

In re Application of: )  
Nix et al. )  
Serial No.: 09/872,904 ) Group Art Unit: 2661  
Filed: May 31, 2001 ) Examiner: TBA  
For: PACKET-SWITCHED TELEPHONY )  
CALL SERVER )

Commissioner for Patents  
Washington, D.C. 20231

**SECOND DECLARATION OF JOHN A. NIX, JR.**

I, John A. Nix, Jr. declare as follows:

1. I hereby incorporate by reference the statements made in my declaration of January 30, 2000 (Declaration of John A. Nix, Jr.).
2. I have personal knowledge of the following facts, and if called to testify, I would and could testify competently to the matters set forth herein.
3. On or about October 12, 2001, I contacted Brian C. Wiles ("Mr. Wiles") to inform him of the filing of the 09/872,904 patent application (also referred to as "Case No. 00-581" in the offices of McDonnell Boehnen Hulbert & Berghoff) and to ask for his facsimile number. A printout of an email communication I sent to Mr. Wiles providing evidence of this contact is attached as Exhibit 1.
4. I sent the following items pertaining to U.S. Application No. 09/872,904 to Mr. Wiles on or about October 12-15, 2001 by facsimile: (1) a combined Declaration and Power of Attorney; and (2) a Joint Assignment. Copies of these documents

- that have been executed by the remaining inventors were attached to my previously submitted declaration of January 30, 2000 as Exhibits A and B.
5. On or about October 16, 2001, I contacted Mr. Wiles to inform him I would be sending him an electronic copy of the final version of the 09/872,904 patent application. Attached as Exhibit 2 is a printout of an email communication providing evidence of this contact.
  6. On or about October 17, 2001, I sent an electronic copy of the final version of the 09/872,904 patent application to Mr. Wiles. Attached as Exhibit 3 is a printout of an email communication providing evidence of this transmission.
  7. In a telephone conference I had with Mr. Wiles on or about October 17, 2001, Mr. Wiles acknowledged receipt of the following items relating to U.S. Application No. 09/872,904: (1) the electronic copy of the final version of the patent application; (2) the combined Declaration and Power of Attorney; and (2) a Joint Assignment. Mr. Wiles also stated that he would not sign any documents relating to U.S. Application No. 09/872,904 unless Go2Call.com, Inc. and StreamComm Corporation would have equal rights in U.S. Application No. 09/872,904 and any subsequently issued patents. A copy of a Patent Ownership Agreement proposed by Mr. Wiles evidencing this statement is attached as Exhibit 4.
  8. As an officer of Go2Call.com, Inc., I declined Mr. Wiles proposal, thereby effecting Mr. Wiles' refusal to sign the patent documentation for U.S. Application No. 09/872,904.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on the 9<sup>th</sup> day of July 2002 in Evanston, Illinois.

JUL-09-2002 10:33

FROM-Co2Call

8478644423

T-223 P.004

F-937



---

John A. Nix, Jr.  
Secretary (Officer)  
Co2Call.com, Inc.